



City of Norfolk, Virginia

REQUEST FOR PROPOSALS ("RFP")

Date: September 29, 2013

RFP SUBJECT: Conceptual Phase PPEA Proposals for Design and Construction of Elementary and Intermediate Schools

SEALED PROPOSALS

TO BE SUBMITTED ONLY TO:

Department of Public Works / City of Norfolk
City Hall Building, 7th Floor
810 Union Street
Norfolk, Virginia 23510 / Phone (757) 664-4602

FEE FOR SUBMITTAL:

\$5,000 – Please make checks payable to Norfolk City Treasurer

PROPOSAL DUE DATE AND TIME:

by no later than Tuesday, November 26, 2013 at 3:00 p.m.
Proposals are to be presented for time and date validation
ONLY to the City of Norfolk Department of Public Works.

All inquiries and questions should be made in writing and forwarded to John M. Keifer, Director of Public Works, via e-mail to toni.fralich@norfolk.gov with a copy to sid.kitterman@norfolk.gov no later than **seven (7) business days prior to the RFP due date.**

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THIS PAGE MUST BE COMPLETED, SIGNED AND RETURNED WITH PROPOSAL

In compliance with this Request For Proposals and to all the conditions imposed herein, the undersigned offers and agrees to furnish the services in accordance with the attached signed proposal.

Please type or legibly print all information.

LEGAL NAME & ADDRESS OF FIRM:

Company's Legal Name By: _____
Authorized Representative - Signature in Ink

Address _____ Name: _____

Title: _____

Zip: _____ Date: _____

Phone: _____ Email: _____

FAX: _____ VA SCC Business Registration # _____

See Section 8.5 "Proof of Authority To Transact Business In VA"

This RFP contains appropriately marked proprietary and/or confidential Information. ____ No ____ Yes

The City of Norfolk and its Public Schools are committed to the letter and spirit of the Americans with Disabilities Act. To request a reasonable accommodation for any type of disability or that this document be made available in an alternate format, call 757-664-4602.

The City of Norfolk and its Public Schools do not discriminate against faith-based organizations in accordance with the Code of Virginia, § 2.2-4343.1 or against any Proposer or Proposer because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by state law relating to discrimination in employment.

PPEA SOLICITATION REQUEST FOR PROPOSALS CONCEPTUAL PHASE

City of Norfolk, Virginia/Norfolk Public Schools Design and Construction of Elementary and Intermediate Schools

1. INTRODUCTION/SUMMARY

- 1.1. The City of Norfolk ("City") and Norfolk Public Schools ("NPS") (hereinafter collectively referred to as "Owner") desire to contract with an experienced and qualified Private Entity under the Public Private Education Facilities and Infrastructure Act of 2002, Code of Virginia §56-575.1 *et seq.* ("PPEA"), and in accordance with City Code Section 33.1 Article IX Guidelines for Proposals Under Virginia's Public-Private Education Facilities and Infrastructure Act, for the design and construction of four new schools (hereinafter referred to as "Core Project") and to evaluate multiple alternatives (hereinafter referred to as "Alternatives 1-5"). Collectively, the Core Project and Alternatives 1-5 are referred to as "the Project". This Request for Proposals ("RFP") describes the Project in greater detail below. See Page 1 for proposal due date and time.
- 1.2. The Core Project includes the design and construction services to build and furnish four new schools (see Attachment D for locations and approximate boundaries).
 - 1.2.1. Construct three Pre-Kindergarten through 5th grade ("PK-5") schools to accommodate approximately 700 students at each location. The schools will be located at Broad Creek, Ocean View and Larchmont. The schools will be located on property already owned by the City and may be adjacent to the existing facilities.
 - 1.2.2. Construct a Kindergarten through 8th grade ("K-8") school to accommodate approximately 1,100 students in the Campostella neighborhood.
 - 1.2.3. Each of these four schools is included in the City's existing Capital Improvement Plan, with construction beginning in 2014 at a combined, current budget of \$88 million which includes \$1.2 million of costs already incurred for the design and temporary relocation of the Campostella K-8 school.
- 1.3. Additionally, the City wants to evaluate five different Alternatives to the Core Project. As such, Proposers are asked to provide pricing, schedule, and other relevant information for these alternative options.
 - 1.3.1. Alternative 1 is to enhance the program and construction of the new Campostella K-8 school to incorporate a Science, Technology, Engineering and Mathematics curriculum ("STEM"). STEM is a teaching philosophy focusing on student collaboration and flexible physical arrangements. Describe the additive features in the design alternative submitted that will contribute to the achievement of the programmatic intent of the STEM program. Also describe any impact to cost and schedule.

- 1.3.2. Alternative 2 is to enhance the program and construction to the new Broad Creek PK-5 elementary school to provide for an international baccalaureate (“IB”) curriculum Primary Years Programme. IB focuses on the development of the whole child as an inquirer, both in the classroom and in the world outside. It is defined by six transdisciplinary themes of global significance, explored using knowledge and skills derived from six subject areas, with a powerful emphasis on inquiry-based learning. Describe the additive features in the design alternative submitted that will contribute to the achievement of the programmatic intent of the IB program. Also describe any impact to cost and schedule.
 - 1.3.3. Alternative 3 is to construct and furnish, separate from but in addition to the schools listed in the Core Project, a new PK-5 school at Camp Allen, capable of accommodating approximately 650 students. Design and construction must follow applicable Federal requirements in addition to normal City and State requirements. See Section 1.4 for additional information.
 - 1.3.4. Alternative 4 – advise on the feasibility of renovation, and possible expansion if necessary, of Larchmont Elementary and/or Ocean View Elementary School. If reliable cost information is unavailable, provide a narrative describing a potential cost structure, the challenges of this type of project delivery, and the advisability of this possible approach.
 - 1.3.5. Alternative 5 addresses the isolation of one or more individual school project(s) for separate award under this PPEA RFP. The Owner reserves the right under this PPEA solicitation to make multiple awards for a school or group of schools less than the full program, if the Owner determines that pricing, delivery schedule, or other benefit can be realized by making separate awards. In particular, the Owner desires to expedite the design and construction of the Campostella K-8 school and avoid cost and schedule impact to that school delivery due to negotiation of an agreement for the full Core Project and any alternatives. Please indicate the impact, if any, on cost and schedule of making separate awards of component school(s).
- 1.4. In providing information on each of these requests (Core Project and Alternatives 1-5), Proposers should adhere to the following guidelines:
- 1.4.1. Proposals should not only include the cost of the new construction but also the demolition of the existing school and associated site work after the new facility is completed.
 - 1.4.2. Schools must be designed and constructed to meet, as a minimum, current Virginia Department of Education Guidelines for School Facilities and all applicable Building Codes and other Code requirements of the City of Norfolk.. The schools should be designed with the appropriate number of classrooms, office space, and common space (i.e., cafeteria, gym, library, auditorium and playground space). The design must also account for the surrounding facility requirements such as utility improvements, roadway improvements, sidewalks, traffic signs and signals, etc.
 - 1.4.3. Camp Allen PK-5 school must also be designed to meet all Federal requirements associated with a grant from the U.S. Department of Defense, Office of Economic

Adjustment to construct a new school on Federal property. Proposer may be requested to act as agent in preparing all documentation necessary for securing and administering the grant.

- 1.4.4. The schools should be equipped to meet proper Information Technology requirements including desired hardware, cabling and connectivity requirements. See also Section 1.7.3 and Section 10.2.2.
 - 1.4.5. The facilities should be designed with the appropriate security features. See also Section 1.7.4 and Section 10.2.2.
 - 1.4.6. The Owner is interested in constructing long-lasting, sustainable, and energy efficient schools for the City of Norfolk and Norfolk Public Schools and considers LEED certification of schools highly desirable. The Proposer should state whether it is its intention for the schools to be capable of becoming LEED Certified facilities and at what level. Describe features and strategies included in the conceptual design to meet the intended level of LEED certification.
 - 1.4.7. Proposer is referred to resources listed in Section 1.8. Although these resources are specific to Campostella Elementary, those components and characteristics that are not clearly site/school-specific may be considered for other schools which do not yet have prescribed components and characteristics. See also Section 10.2.2 for further instruction.
- 1.5. On each of April 9, 2013 and June 25, 2013, the City passed an ordinance to amend the City Code that establishes guidelines for the implementation of the Public-Private Education Facilities and Infrastructure Act of 2002, Code of Virginia §56-575.1 et seq. (Attachment C).
 - 1.6. On August 2, 2013, the Owner accepted an unsolicited conceptual proposal for the Project. The accepted proposal, excluding properly identified proprietary information, is available for review on the City's website at <http://www.norfolk.gov/Bids.aspx>
 - 1.7. School Designs should consider the following resources and meet all minimum criteria. All other applicable Federal, State, and City Code and Regulations shall apply regardless of whether listed below:
 - 1.7.1. Virginia Department of Education Guidelines for School Facilities In Virginia's Public Schools (minimum criteria) (Attachment E) .
 - 1.7.2. City of Norfolk Department of Planning and Community Development. This Department administers a variety of required City reviews and approvals, including the Design Review Committee, Planning Commission, Site Plan Review, and Building Code review. Additional approvals required by City Code may be identified through one of the aforementioned entities. The Proposer should consider these processes, approvals, permits, etc. to be required minimum criteria. (More information available on City of Norfolk web site, www.norfolk.gov).
 - 1.7.3. Ideal Spaces – Technology Configuration by Norfolk Public Schools. This document reflects desirable technology configuration in Norfolk Public Schools (Attachment M).

- 1.7.4. Security Narrative by Norfolk Public Schools – this narrative reflects desired security features to be included in the design (Attachment N).
- 1.8. The following resources related to Campostella K-8 are preliminary design documents prepared by an architectural consulting firm for Norfolk Public Schools with significant input from NPS, the Campostella community, and other stakeholders. Some of these documents reflect desirable programmatic features to achieve the STEM philosophy, and these design features may be used by any Proposer in its Proposal. However, because cost estimates for this preliminary design exceed what can be supported by the current budget, Proposers are encouraged to consider other approaches to reduce cost while meeting minimum criteria and adhering to the STEM philosophy.
 - 1.8.1. Educational Specifications: Campostella K-8 S.T.E.M. School (August 26, 2013) by BrainSpaces Inc with Waller Todd & Sadler Architects (Attachment F).
 - 1.8.2. Facility Space Program: Campostella K-8 S.T.E.M. School (August 26, 2013) by BrainSpaces Inc with Waller Todd & Sadler Architects (Attachment G).
 - 1.8.3. Basis of Design: Campostella K-8 School (August 31, 2013) by Waller Todd & Sadler Architects (Attachment H).
 - 1.8.4. Campostella K-8 School Preliminary Plans (September 3, 2013) by Waller Todd & Sadler Architects et al (Attachment I).
 - 1.8.5. Report of Geotechnical Exploration – Campostella Elementary School (July 15, 2013) by GeoEnvironmental Resources, Inc (Attachment J).
 - 1.8.6. Hazardous Materials Sampling Report for Demolition of Campostella Elementary School (April 16, 2013) by GeoEnvironmental Resources, Inc. (Attachment K)
 - 1.8.7. New Campostella Infrastructure Network Design Project by Norfolk Public Schools (Attachment L)
- 1.9. The following document represents a preliminary basis of design for the Camp Allen PK-5 school. This document was presented to the DOD Office of Economic Adjustment as a grant funding proposal under the Program for Construction, Renovation, Repair, or Expansion of Public Schools located on Military Installations. PPEA Proposer's Design should be in general accordance with the contents of the Grant Proposal, identifying any variation from the Grant Proposal. This document also references Federal standards that must be met in the design and construction of Camp Allen PK-5.
 - 1.9.1. Proposal for Reconstruction of Camp Allen Elementary School – proposal to the Department of Defense Office of Economic Adjustment (July 24, 2012) by Norfolk Public Schools (Attachment O).
- 1.10. It is intended that a modified Standard Form of Agreement Between Owner and Design-Build (AIA Document A141-2004) will serve as the base contract document for this PPEA Project. It is currently under revision by the City of Norfolk and will be made available prior to

negotiation of an Interim Agreement or Comprehensive Agreement with one or more Proposers.

- 1.11. The Project will most likely require phasing during construction to fit within the City's current debt capacity and revenue sources. The Owner's current plan is to begin construction on first of five schools in 2014 or as soon as possible on completion of the Comprehensive Agreement. To the extent that the cost of the Project does not fit into the City's budget and existing Debt capacity, the Owner reserves the right to negotiate with the Proposer the delay or elimination of specific schools. However, as part of the Proposer's response to questions in Section 10, the Proposer is encouraged to submit alternatives ideas and solutions to accelerate the funding and to submit an optional plan for the development financing and schedule on which funds will be required.
- 1.12. Given the fact that the construction will occur on the same site as an existing school, a safety plan will be required to ensure safe ingress and egress of students, parents, and staff during construction. This plan should also address emergency egress from the building as well as ensure perpetual access of emergency vehicles to the facility during the construction process. Further, this plan shall also address the Proposer's plan to minimize construction noise and disruption to the school during critical times, including the Standards of Learning (SOL) testing.
- 1.13. The Proposer understands, acknowledges and agrees that the Campostella Project will be financed with Qualified School Construction Bonds ("QSCB") involving federal funds under the American Recovery and Reinvestment Act of 2009 ("ARRA"). The Proposer shall be asked to comply, and shall cause all subcontractors, to comply, with Section 1601 of Division B of ARRA regarding "Application of Certain Labor Standards to Projects Financed with Certain Tax-Favored Bonds" and related regulations set forth in the Code of Federal Regulations ("CFR"), including but not limited to 29 CFR 5 et seq. The language attached (Attachment B) entitled "Davis-Bacon and Related Acts and Procedures", or most current revision, will be required for inclusion in the Design-Construction contract with the City of Norfolk for the Project.
- 1.14. The PPEA provisions of the City Code (§§ 33.1-110-33.1-118) govern this RFP, which provide for a two-part proposal submission process consisting of an initial "Conceptual Phase" Request for Proposals, and subsequent "Detailed Phase" Proposals.
- 1.15. The objective of this RFP is to select a short list of highly qualified Private Entities to receive a Request for Detailed Proposals. The Owner may, at any time, require the Proposer to provide additional information, additional copies of prior submissions, and/or clarification of any submission.
- 1.16. The City intends to enter into a Comprehensive Agreement with the successful Proposer that will have specific contract provisions that may include: an initial Contract Cost Limit for all project costs (land, design and construction); relocation costs to move and set up new schools; fixed fees; allowances, reimbursables, and contingencies; Guaranteed Maximum Price at 65% design; "open book" contracting; design review process; incentives such as "shared savings" and liquidated damages. A draft Comprehensive Agreement will be provided to firms short listed to receive a Request for Detailed Proposals. The principal member of any business association, such as a joint venture or limited liability corporation, must provide a performance bond. Notwithstanding the foregoing, the Owner reserves the right, at any time, to cancel the solicitation or to reject any solicited PPEA proposal, in the City's sole discretion.

- 1.17. It is the policy of the City of Norfolk to facilitate the establishment, preservation, and strengthening of small businesses and businesses owned by women and minorities and to encourage their participation in the City's procurement activities. Toward that end, the Owner encourages these firms to compete and encourages non-minority firms to provide for the participation of small businesses and businesses owned by women and minorities through partnerships, joint ventures, subcontracts, and other contractual opportunities. A listing of qualified businesses is available from the Virginia Department of Minority Business Enterprise (www.dmb.state.va.us). Firms are asked, as part of their submission, to describe any planned use of such businesses. Please include in your proposal whether your firm or any of your sub-consultants is a minority owned business described by one of the following categories: African American (male), African American (female), Caucasian (female), Hispanic (male), Hispanic (female), Asian American (male), Asian American (female), American Indian (male), American Indian (female), Eskimo (male), Eskimo (female), Aleut (male), Aleut (female), Other (male), Other (female).
- 1.18. It is also the policy of the City to support Norfolk businesses and workforce development, and the City encourages companies with corporate offices in Norfolk, and which employ Norfolk residents, to compete for City contracts. Please include in your proposal information regarding the location of your offices, the offices of your sub-consultants, and the employment of Norfolk residents by your firm or by your sub-consultants.
- 1.19. ACCESS TO RFP UPDATES: This RFP and any addenda are available on the City's website: <http://www.norfolk.gov/Bids.aspx> This solicitation and any associated addenda will also be published through Demand Star registered suppliers.
- 1.20. Proposers should note that changes to the RFP, in the form of addenda, are often issued between the issue date and within three (3) days before the closing of the RFP. **Proposers are solely responsible for checking the City's Website (as detailed above) to ensure that they have the most current information regarding the RFP.**

2. CONTACTS

- 2.1. This Request for Proposals is issued on behalf of the City of Norfolk and the City of Norfolk Public Schools. There should be no contact with City or NPS employees or staff related to this RFP without the prior approval of the Director of Public Works listed below or the Director of Public Works' designee.

Director of Public Works:

John M. Keifer
Director of Public Works
City Hall Building, 7th Floor
810 Union Street
Norfolk, Virginia 23510 / Phone (757) 664-4602

Designee: Sid Kitterman, City Engineer

E-mail via: toni.fralich@norfolk.gov with copy to sid.kitterman@norfolk.gov

3. **GENERAL INFORMATION**

- 3.1. The City's Director of Public Works listed above or designee shall be the sole point of contact for the Owner for the purposes of preparation and submission of a Proposal.
- 3.2. The evaluation of Proposals takes a considerable effort to complete, and the effort depends on the number of proposals received. The Owner will attempt to review and respond to Proposers as expeditiously as possible. The City will announce by letter, and post on applicable websites and the City's public notice board, the short list of the most highly qualified Successful Proposers that will be asked to respond to the Request for Detailed Proposals for the Project. The City's Public Notice board is located 810 Union Street, Suite 700, Norfolk VA 23510

4. **DEFINED TERMS**

Terms used in this Request for Proposals have the meanings indicated below.

- 4.1. **Alternatives 1-5** – In addition to information on the Core Project, the Owner has requested that Proposers provide additional information on five alternatives the Owner desires to evaluate. These Alternatives are detailed in Section 1.3.
- 4.2. **Architect/Engineer (A/E)** - The Design/Build Entity's party who will be providing design professional services.
- 4.3. **Comprehensive Agreement** - According to the PPEA Guidelines, the selected Private Entity shall enter into a Comprehensive Agreement with the City.
- 4.4. **Contractor** - The Private Entity's party who will be providing construction contracting services.
- 4.5. **Core Project** - PPEA services including Design/Build for four new Elementary and Intermediate Schools as described in Section 1.2.
- 4.6. **Engineer** - The Private Entity's party who will be providing design professional services (also known as Architect/Engineer or "A/E").
- 4.7. **Issuing Office** - see section 2.1 above.
- 4.8. **Owner** - The City of Norfolk , Virginia ("City")/City of Norfolk Public Schools ("NPS").
- 4.9. **Owner's Consultant** - Consultant hired by the Owner to assist with the RFP process.
- 4.10. **Private Entity** - the Proposer with whom the Owner will contract for the Project.
- 4.11. **Program Manager** - The Owner's consultant for Construction Management Services.
- 4.12. **Project** – PPEA services including Design/Build for of Elementary and Intermediate Schools and Alternatives.

- 4.13. **Proposal** - The Proposer's document provided in response to the RFP.
- 4.14. **Proposal Documents** - The Advertisement or Invitation, Request for Proposals, and Qualification Proposals, including all Addenda issued prior to acceptance of Qualification Proposals.
- 4.15. **Proposer** - One who submits a Proposal directly to the Owner.
- 4.16. **Qualification Exhibits** - Documents prepared by the Private Entity (Design/Build Team), which demonstrate the Proposer's qualifications and that meets the Owner's requirements as set forth herein.
- 4.17. **Request for Proposals ("RFP")** - The initial Conceptual Phase submission as defined in the City's PPEA Code provisions.
- 4.18. **Request for Detailed Proposals** - The subsequent Detailed Phase submission by firms shortlisted in the RFP stage, as defined in the City's PPEA Code provisions.
- 4.19. **Successful Proposer** - The Proposer, to whom Owner, on the basis of Owner's evaluation as hereinafter provided, qualifies for receiving the Request for Detailed Proposals for the Project.

5. **COPIES OF PROPOSAL DOCUMENTS**

- 5.1. This document, referenced documents, and attachments constitute the entire RFP package.
- 5.2. Copies of the RFP Documents made available are only for the purpose of obtaining Qualification Proposals for the Work and do not confer a license or grant to Proposers for any other use.

6. **EXAMINATION OF SITE**

- 6.1. On request, Owner will provide each Proposer reasonable access to the Project sites to conduct such examinations and investigations as each Proposer deems necessary for submission of a Proposal. Access to secure facilities will require ample advance notice.

7. **QUESTIONS, INTERPRETATIONS AND ADDENDA**

- 7.1. All questions about the meaning or intent of the RFP are to be directed to the Director of Public Works in writing by e-mail.
- 7.2. Interpretations or clarifications considered necessary by Owner in response to such questions will be issued by Addenda and posted on the City's website. **Proposers are solely responsible for checking this website regularly for all Addenda.**
- 7.3. Questions received less than seven (7) business days prior to the date for opening of the proposals may not be answered. Only questions answered by formal written Addenda will be binding. Oral and other interpretations or clarifications will be without legal effect.

7.4. Addenda may be issued to clarify, correct, or change the RFP as deemed advisable by Owner.

8. **ELIGIBILITY CRITERIA (Minimum Qualifications)**

- 8.1. An unsatisfactory response, deemed in the Owner's sole opinion, to any item in the category titled "Eligibility Criteria" will be considered sufficient cause to disqualify a proposal from further consideration for short-listing for this Project.
- 8.2. **Responsiveness to RFP** - Only responsive proposals will be considered and evaluated. A responsive proposal must be submitted according to the instructions, including all required attachments.
- 8.3. **Debarment Status** - By submitting a proposal, the Proposer certifies that neither it nor any affiliated entity is currently debarred from submitting bids or has otherwise agreed not to submit bids on contracts with any government or business entity. If the Proposer experiences a material change in its debarment status after the proposal is submitted and prior to the award of the contract for the project, the Proposer shall notify the Owner of the change in writing at the time the change occurs or as soon thereafter as is reasonably practicable. If at any time during the evaluation process the Proposer is issued a debarment judgment, then this will be considered grounds for automatic disqualification.
- 8.4. **License** - The Proposer must provide copies of its Commonwealth of Virginia Contractor's and Architect's Licenses with its proposal.
- 8.5. **Bonding Capacity/Statement** - Proposers must provide ability to provide performance and payment security for its proposed Work in accordance with Section 33.1 of the City Code. The amount of the security will depend on the Proposer's approach to construction and schedule. Proposer must provide a signed statement from their Surety stating that, based on present circumstances, the Surety will provide performance and payment bond for the Proposer in connection with the Project to satisfy requirements of Section 33.1 of the City Code.
- 8.6. **Proof of Authority to Transact Business in Virginia** - The Proposer must be registered to do business in the Commonwealth of Virginia as follows:
- 8.6.1. A firm organized or authorized to transact business in the Commonwealth pursuant to Title 13.1 or Title 50 of the Code of Virginia shall include in its proposal the identification number issued to it by the State Corporation Commission ("SCC"). The Proposer's SCC ID number shall be provided on the cover sheet of this solicitation on the line entitled "VA SCC Business Registration #".
- 8.6.2. Any Proposer that is not required to be authorized to transact business in the Commonwealth as a foreign business entity under Title 13.1 or Title 50 of the Code of Virginia or as otherwise required by law shall include in its proposal for consideration by the City, a signed statement attached to the Cover Sheet of this RFP, describing why the Proposer is not required to be so authorized under Title 13.1 or Title 59 of the Code of Virginia. Any Proposer described herein that fails to provide the required information or for whom such signed exception is not considered valid or lawful by the City, shall not receive an award.

9. **SUBMITTAL OF PROPOSALS**

- 9.1. One original (clearly marked on the cover as such), and eleven (11) copies of the Proposal, in addition to an electronic PDF copy of the Proposal on CD-ROM, shall be submitted to the Director of Public Works, as listed in Section 2.1, on or before the due date and time listed on Page 1 of this RFP, in order to be considered. Late proposals will not be accepted. The proposals shall be addressed to the Director of Public Works as indicated on Page 1. Proposals shall be clearly identified with "Request for Proposals for the Schools PPEA."
- 9.2. Proposals shall be enclosed in a sealed envelope or box, marked with the Project title and name and address of Proposer and accompanied by all required documents. If the Proposal is sent through the mail or other delivery system the sealed envelope or box shall be enclosed in a separate envelope or box with the notation "PROPOSAL ENCLOSED" on the face of it.
- 9.3. The City Department of Public Works is open for the receipt of proposals from 8:30 AM until 4:30PM, Monday through Friday (excluding City holidays). The City is not responsible for deliveries attempted outside of these time periods or misdirected to other offices.
- 9.4. The time of receipt shall be determined by the time the proposal is signed in at the Department of Public Works. Proposers are solely responsible for ensuring that their proposal is stamped by Department of Public Works personnel.
- 9.5. Any proposal received after the proposal due date and time as detailed on the first page of this solicitation whether by mail or otherwise, will not be accepted or considered. The time of receipt shall be determined by the time the proposal is signed in at the Department of Public Works. Proposers are solely responsible for ensuring that their proposal is stamped by Department of Public Works personnel by the deadline indicated.
- 9.6. The Owner is not responsible for delays in the delivery of mail by the U.S. Postal Service, private couriers, the intra-City mail system or delivery by other means. Proposers are solely responsible for ensuring that their proposals are received and stamped by Department of Public Works personnel by the deadline indicated.
- 9.7. Proposals should be prepared simply and economically, providing a straightforward, concise description of capabilities to satisfy the requirements of the RFP. Emphasis should be on completeness and clarity of context. Unnecessarily elaborate proposals, brochures of other presentations, expensive paper, bindings, visual and other presentation aids beyond that sufficient to present a complete and effective proposal are neither required nor desired.
- 9.8. Each copy of the proposal should be bound in a single volume. However, if the Proposal contains proprietary information, provide two bound volumes with one exclusively for proprietary information that is so labeled. Similarly separate the information (as separate PDF on same CD-ROM) that is provided in electronic format. The City encourages the use of recycled products. Therefore, it is urged that proposals be submitted on paper made from or with recycled content and be printed on both sides.
- 9.9. The City will not consider information other than the materials provided in a duly submitted proposal and/or subsequent interviews for proposal evaluation purposes.

- 9.10. The City, NPS and their officers, employees or agents will not be responsible for the opening of a proposal envelope or package prior to the scheduled opening if that envelope or package is not appropriately sealed and marked as specified.
- 9.11. If the City declares administrative or liberal leave, scheduled receipt of proposals will be extended to the next business day after which administrative or liberal leave has been canceled.
- 9.12. Oral proposals or proposals delivered by electronic means such as facsimile and e-mail are not allowed and proposals so delivered will not be considered.
- 9.13. Conditional proposals are subject to rejection in whole or in part.
- 9.14. The Owner is not liable for any costs incurred by any Proposer in connection with this RFP.
- 9.15. The expenses incurred by Proposers in the preparation, submission, and presentation of the proposal are the sole responsibility of the Proposer.

10. **PROPOSAL CONTENT**

Proposal documents are generally subject to the Virginia Freedom of Information Act ("FOIA") except for specific exemptions of certain documents from public disclosure. See the City of Norfolk PPEA Code provisions and the latest Code of Virginia regulations. Clearly mark any information that is considered confidential and proprietary.

The Proposals submitted shall be structured in the following manner addressing all Eligibility Criteria and Evaluation Factors listed in Sections 8 and 9 above. Information shall be satisfactory for posting and publication, unless expressly waived by the City, as follows:

10.1. **Qualifications and Experience**

- 10.1.1. Identify the legal structure of the firm or consortium of firms making the proposal. Identify the organizational structure for the Project, the management approach and how each partner and major subcontractor in the structure fits into the overall team, including the Project ownership among any consortium of firms.
- 10.1.2. Describe the experience and qualifications of the firm or consortium of firms making the proposal, including experience with projects of comparable size and complexity. Describe the length of time in business, business experience, public sector experience and other engagements of the firm or consortium of firms. Include the identity of any firms that will provide design, construction and completion guarantees and warranties, and a description of such guarantees and warranties.
- 10.1.3. For each firm, contractor or major sub-contractor utilized in the project, provide a statement listing all of their prior projects and clients for the past three (3) years with contact information, including names, address, telephone numbers and e-mail addresses if available. If such entity has worked on more than ten (10) projects during this period, it may limit its response to ten (10), but (i) shall include all projects similar in scope and size to the proposed project, and (ii) shall include as many of its most recent projects as possible. Each such entity must submit all performance evaluation reports or other documents in its possession evaluating its performance during the preceding

three (3) years in terms of cost, quality, schedule, safety and other matters relevant to successful project development, operation and completion. Also, please complete Attachment A contained near the end of this RFP and submit as part of your response to this question.

- 10.1.4. Describe the experience and qualifications of the persons proposed for the following positions and their relevant experience on projects of similar size and complexity. All members of the Proposer's team known to the Proposer shall be identified and submitted at this time. Proposer must dedicate all key personnel identified in the proposal to the project and may not make changes without written approval from the Owner. No substitutions of the key personnel represented below will be accepted without prior approval by the City. Request for approval to substitute may be submitted by the Contractor only for reasons beyond the Contractor's control. Approval by the Owner will not be granted unless the Contractor can demonstrate that the reason for the substitution is justified and that the substituting individual has, at a minimum, an equivalent level of experience comparable to that of the individual being substituted.

Key Personnel include the following:

- A. Design/Build Project Manager -Experience on design/build projects of similar scope is required.
- B. Design Project Manager - Experience with education facilities is required.
- C. Project Architect - Experience with education facilities is required.
- D. Construction Project Manager - Experience with projects of similar scope is preferred.
- E. Construction Superintendent - Experience with projects of similar scope is preferred.

Other Team Members include the following:

- F. Civil Engineer - Experience with the City of Norfolk and/or NPS is preferred.
- G. Mechanical, Electrical Engineer(s) - Experience with education facilities is preferred.

- 10.1.5. Provide the names, addresses, and telephone numbers of persons within the firm or consortium of firms making the proposal who may be contacted for further information.
- 10.1.6. Provide a current or most recently audited financial statement of the firm or firms and each partner with an equity interest of twenty percent or greater.
- 10.1.7. Identify any persons known to the Proposer who would be obligated to disqualify themselves from participation in any transaction arising from or in connection to the project pursuant to the Virginia State and Local Government Conflict of Interest Act ("COIA"), Chapter 31 (§2.2-3100 *et seq.* of Title 2.2 of the Code of Virginia, 1950, as amended).
- 10.1.8. Provide for each firm, major contractor or major subcontractor that will perform construction and/or design activities, a sworn certification by an authorized

representative of the firm, major contractor or subcontractor attesting to the fact that it is not currently debarred or suspended from government design or construction projects by any federal, state or local government entity.

10.2. Project Characteristics

- 10.2.1. Provide a narrative explaining your approach to successfully managing the design and construction of the Project. Include a description and examples of how you will manage cost, quality and schedule.
- 10.2.2. Provide a description of the Project, including the conceptual design. Describe the proposed Project in sufficient detail so that type and intent of the Project, the location, and the communities that may be affected are clearly identified. **Where elements of the school program, building construction, building systems, information technology and security systems, finishes, furnishings, fixtures , and equipment and other elements are not prescribed, provide definition and description of the proposed elements for the Owner's evaluation.** The Owner may request additional information or adjustment of the Proposal if additional criteria are subsequently identified and specified for one or more schools.
- 10.2.3. Identify and fully describe any work to be performed by the City, NPS or any other public entity.
- 10.2.4. Include a list of all federal, state, and local permits and approvals required for the Project and a schedule for obtaining such permits and approvals.
- 10.2.5. Identify any anticipated adverse social, economic, and environmental impacts of the Project. Specify the strategies or actions to mitigate any known adverse impacts of the Project.
- 10.2.6. Identify the projected positive social, economic, and environmental impacts of the Project.
- 10.2.7. Identify the proposed schedule for the work on the Project, including the estimated time for completion, and identify contingency plans for addressing public needs in the event that all or some of the Project is not completed according to the proposed schedule.
- 10.2.8. Propose allocation of risk and liability for work completed beyond the agreement's completion date, and assurances for timely completion of Project.
- 10.2.9. Identify assumptions related to ownership, legal liability, law enforcement, and operation of the Project and the existence of any restrictions on the City's and NPS's use of the Project.
- 10.2.10. Provide information relative to phased or partial openings of the proposed Project prior to completion of the entire work.
- 10.2.11. Describe any architectural, building, engineering or other applicable standards that the

Project will meet. Describe the intent for LEED certification, as described in Section 1.4.6, for each school that is part of the Project.

10.2.12. List any contingencies that must occur for the Project to be successful.

10.2.13. List any other assumptions relied upon for the Project to succeed.

10.3. Project Financing

10.3.1. Provide a preliminary cost estimate for the Core Project and Alternatives itemized for each school. Indicate if the Project cost estimate is a Guaranteed Maximum Price bid as well as your assumption as to when the specific school is constructed. Provide a cashflow/drawdown schedule related the proposed school construction plan.

10.3.2. Please indicate if your proposed cost is based upon meeting wage requirements under the Davis-Bacon Act for Campostella K-8 School, or if not, estimate the potential increase in your bid if you were required to comply with the Act for the entire bid.

10.3.3. The Owner's current plan is to finance the Project through the issuance of General Obligation bonds. However, the Owner needs to stay within the boundaries of its current debt capacities as well as available revenue constraints which will likely lead to a phasing of the schools. Submit an Optional plan (or indicate a decline to provide an Option) for the development, financing, and operation of the Project showing the anticipated schedule on which funds will be required. Describe the anticipated costs of the proposed sources and uses for such funds including any anticipated debt service costs. The financing plan should clearly identify any equity participation on behalf of the Proposer. Please describe any alternative structures that you believe the Owner should consider to accelerate the process.

10.3.4. Include a list and discussion of assumptions underlying all major elements of the plan. Assumptions shall include all fees associated with financing given the recommended financing approach and disclose all interest rate assumptions. Also disclose any ongoing operational fees, if applicable, as well as any assumptions with regard to increases in such fees.

10.3.5. Identify all anticipated risk factors and methods for dealing with them.

10.3.6. Identify any local, City, state, or federal resources that the Proposer contemplates requesting for the Project. Describe the total commitment, if any, expected from government sources (and identify each source), and the timing of any anticipated commitment. Such disclosure shall include any direct or indirect guarantees or pledges of the City's credit or revenue.

10.3.7. Identify the amounts and the terms and conditions for any revenue sources.

10.3.8. Identify any aspect of the Project that could disqualify the Project from obtaining tax-exempt financing.

10.4. Project Benefit and Compatibility

- 10.4.1. Identify who will benefit from the Project, how they will benefit and how the Project will benefit the City, the overall community, region or state. Describe the nature of these benefits. Indicate whether additional tax revenue will be generated for the City and in what amount.
- 10.4.2. Identify any anticipated public support or opposition, as well as any anticipated government support or opposition, for the Project.
- 10.4.3. Explain the strategy and plans that will be carried out to involve and inform the general public, business community, and governmental agencies within the City and any other areas affected by the Project.
- 10.4.4. Describe the anticipated benefits to the City, the region or state as a whole, including but not limited to, any anticipated benefits to the economic condition of the City. Indicate whether the Project is critical to attracting or maintaining competitive industries and businesses to the City or the region.
- 10.4.5. Describe the Project's compatibility with the City's local comprehensive plan, local infrastructure development plans, capital improvements budget, and any other government spending plan.
- 10.4.6. Provide a statement indicating what participation efforts the Proposer intends to undertake in connection with this Project with regard to including the following types of businesses: (i) minority-owned businesses, (ii) women-owned businesses, and (iii) small businesses.

11. **EVALUATION FACTORS**

The Owner will be the sole judge of the Proposer's qualifications and experience, including experience with similar projects, demonstration of ability to perform work; leadership structure; project manager's experience, management approach, financial condition, and Project ownership. Evaluation factors are listed in no order of preference:

11.1. **Qualifications and Experience**

- 11.1.1. **Experience with similar projects** - In the evaluation of experience and ability to perform the work, emphasis will be placed on a Proposer's performance on recent projects of a similar size and nature to the Project, including Proposer's ability to manage Owner's project budgets, deliver a quality product, and meet scheduled completion dates. Preference will be given to firms with the following experience:

- 11.1.1.1. **Construction Experience** including the following:

Successful completion (on time, within budget, and per client's specifications) of at least two (2) similar school construction projects of \$15 million or more in the last ten (10) years by the general contractor similar in scope to the Project in this RFP. Acceptable delivery methods include Design/Bid/Build, Design/Build, and CM at Risk.. Construction cost may be indexed from original construction

completion date to current date using Engineering News-Record Building Construction Index.

11.1.1.2. **Design Experience** including the following:

Education Experience - Successful completion (on time, within budget, and per client's specifications) of at least two elementary or intermediate school designs of similar scope as those in this Project within the last 10 years by the designated Design Project Manager.

11.1.1.3. **Design/Build Team Experience** including the successful completion of at least one (1) design/build project, together as a team, similar in scope to the Project in this RFP. Preference will be given to new school construction projects.

11.1.2. **Demonstration of ability to perform work** – Explanation regarding how the firm or firms involved have current resources available to perform this Project.

11.1.3. **Leadership structure/Project manager's experience/key personnel experience** - Qualifications of the persons proposed and their relevant experience on projects of similar size and scope.

11.1.4. **Management Approach** – Explanation of the Proposer's approach to successfully managing the design and construction of the Project.

11.1.5. **Financial Condition** - Financial data will be reviewed and compared to industry standards.

11.1.6. **References** - The Owner may contact the Proposer's references listed in the application and may contact other potential references if referred to them in the course of this evaluation. The Owner reserves the right to contact any party it deems appropriate. By submitting a proposal in response to this RFP, the Proposer releases the Owner and any references from all liability concerning this exchange of information.

11.1.7. **Safety Performance** - Safety data will be reviewed and compared to industry standards.

11.1.8. **Claims/Final Resolution/Judgments** - Evaluation of this data will be based on the number of affirmative answers to the questions and the details provided in the explanation for each occurrence.

11.1.9. **Failure to Complete** - Evaluation of the Proposer's failure to complete projects will be based primarily on the number of failure-to-complete occurrences and the explanations for the failure-to-complete occurrences.

11.1.10. **Other Relevant Criteria** - Any relevant information, included or not included in the proposal, deemed to be in the best interest of the Owner may be evaluated in determining whether or not to accept a Proposer's submission. For example, the evaluation may also consider any additional references or experience with other City of Norfolk projects when determining acceptability of a proposal.

- 11.1.11. **Optional Information** - Information not covered above that the Proposer deems relevant may be provided and may be considered by the Owner.

12. **MODIFICATION AND WITHDRAWAL OF PROPOSAL**

- 12.1. A Proposal may be modified or withdrawn by an appropriate document duly submitted in the same manner that a Proposal must be submitted and shall be delivered to the address listed in Section 2.1 prior to the date and time for the opening of the Proposals.

13. **OPENING OF PROPOSALS**

- 13.1. Proposals will be opened privately due to the proprietary nature of the information contained therein.

14. **OWNER'S RIGHTS AND LIABILITIES**

- 14.1. As set forth in the City's PPEA Code provisions, the Owner reserves all rights available to it by law in administering these PPEA provisions, including, without limitation, the right in its sole discretion to:
 - 14.1.1. Reject any and all proposals at any time;
 - 14.1.2. Terminate consideration or evaluation of any and all proposals at any time;
 - 14.1.3. Suspend, discontinue and/or terminate discussions regarding confidentiality agreements, interim agreements and comprehensive agreements at any time prior to the authorized execution of such agreements by all parties;
 - 14.1.4. Request and/or receive additional information regarding any proposal;
 - 14.1.5. Issue addenda to and/or cancel the RFP;
 - 14.1.6. Revise, supplement or withdraw all or any part of the PPEA Code provisions;
 - 14.1.7. Request revisions to conceptual phase proposals;
- 14.2. A Proposer who submits a proposal agrees to hold the City and NPS, their officers, employees, agents and volunteers harmless and free from all liability, loss, injury, and/or cost and expense which might be incurred by such Proposer in responding to, or as a consequence of the RFP, and agrees to waive any and all claims for damages arising in connection with the procurement process contemplated by the RFP.
- 14.3. A Proposer shall not employ any Subcontractor, Supplier, or other individual or entity against which Owner may have reasonable objection. A Proposer shall not be required to employ any Subcontractor, Supplier or other individual or entity to furnish or perform any of the Work against which Proposer has reasonable objection.

15. **ATTACHMENTS TO THIS REQUEST FOR PROPOSALS**

- A. Proposer's Additional Information Form
- B. Davis-Bacon and Related Acts Provisions and Procedures
- C. City adopted provisions for the implementation of the Public-Private Education Facilities and Infrastructure Act of 2002, Code of Virginia §56-575.1 et seq.
- D. School Location Maps for Proposed Schools
- E. Virginia Department of Education – Guidelines for School Facilities In Virginia's Public Schools (Rev. September 2013 or latest edition)
- F. Educational Specifications: Campostella K-8 S.T.E.M. School (August 26, 2013) by BrainSpaces Inc with Waller Todd & Sadler Architects.
- G. Facility Space Program: Campostella K-8 S.T.E.M. School (August 26, 2013) by BrainSpaces Inc with Waller Todd & Sadler Architects.
- H. Basis of Design: Campostella K-8 School (August 31, 2013) by Waller Todd & Sadler Architects.
- I. Campostella K-8 School Preliminary Plans (September 3, 2013) by Waller Todd & Sadler Architects et al.
- J. Report of Geotechnical Exploration – Campostella Elementary School (July 15, 2013) by GeoEnvironmental Resources, Inc.
- K. Hazardous Materials Sampling Report for Demolition of Campostella Elementary School (April 16, 2013) by GeoEnvironmental Resources, Inc.
- L. New Campostella Infrastructure Network Design Project by Norfolk Public Schools
- M. Ideal Spaces – Technology Configuration by Norfolk Public Schools
- N. Security Narrative by Norfolk Public Schools
- O. Proposal for Reconstruction of Camp Allen Elementary School – proposal to the Department of Defense Office of Economic Adjustment (July 24, 2012) by Norfolk Public School